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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,068	03/01/2002	Torsten Grust	SVL920010034US1	4243

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EXAMINER
NGUYEN, CINDY

ART UNIT	PAPER NUMBER
2161	

MAIL DATE	DELIVERY MODE
12/07/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/090,068	GRUST ET AL.
Office Action Summary	Examiner	Art Unit	
	CINDY NGUYEN	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _07 August 2009_.

2a) ☐ This action is **FINAL**.　　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,3,4 and 34-38_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,3,34,35,37 and 38_ is/are rejected.

7) ☒ Claim(s) _4, 36_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This is response to amendment filed 08/07/09.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, and 34, 35, 37-38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cochrane at al. (US 7027975, hereafter Cochrane) in view of

Oracle8*i* SQLJ Developer's Guide and Reference Release 8.1.5 A64684-01

Copyright 1999.

Regarding claims 1, 34 and 37, Cochrane discloses: a method, a database

management system (see col. 7, line 35) and a program product comprising computer

readable program code on one or more media, said program code being capable on a

management and configuring a computer system having one or more computers to
perform the process of:

a. receiving queries on a pervasive computing device in SQL, the queries
comprising a plurality of query terms (see col. 3, lines 64-65);

b. interpreting the queries on a pervasive computing device (minicomputer, col.
16, lines 36) by associating at least one declarative language function with the query
terms by converting the SQL to an intermediate tree representation corresponding to
the declarative language function (i.e., the parser 102 parses the query with the
intelligent compiler/interpreter parsing the SQL-bodied functions and SQL scripting
language statements to generate an internal representation of the query called a query
graph/intermediate tree representation... see col. 3, lines 65 to col. 4, lines 7; col. 6,
lines 65-67; col. 7, lines 60-66; col. 8, lines 62 to col. 9, lines 3);

However, Cochrane didn't disclose steps c and d. On the other hand, Oracle
discloses: converting the queries represented by at least one declarative language
function to a plurality of JAVA statements on a pervasive computing device (i.e., Oracle
SQLJ consists of both translator and a runtime component, The translator, written in
pure Java, supports a programming syntax that allows you to embed/convert SQL
operations inside SQLJ executable statements. SQLJ executable statements, as well as
SQLJ declarations, are preceded by the #sql token and can be interspersed with Java
statements in a SQLJ source code file, see Oracle chapter 1, section "Introduction to
SQLJ");

executing the Java statements (i.e., The SQLJ runtime, also written in pure Java, implements the desired actions of your SQL operations, accessing the database using a JDBC driver, see Oracle chapter 1, section "Introduction to SQLJ") . Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the steps of converting and executing in the system of Cochrane as taught by Oracle. The motivation being to reduce development and maintenance costs in Java programs that require database connectivity.

Regarding claims 3, 35 and 38, all the limitations of these claims have been noted in the rejection of claims 1, 34 and 37 above, respectively. In addition, Oracle discloses: wherein the declarative language function is identified by a reference to further code such that the declarative language function is treated as data within a plurality of JAVA statements (SQLJ allows applications programmers to embed static SQL operations in Java code, see Oracle chapter 1, section "Introduction to SQLJ").

Allowable Subject Matter

Claims 4 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CINDY NGUYEN whose telephone number is (571)272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./
Examiner, Art Unit 2161

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161